

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
44041.010400

In Re Application Of: Cochrum et al.

Serial No.  
09/438,872

Filing Date  
November 12, 1999

Examiner  
Sandra Saucier

Group Art Unit  
1651

Title: **HEMOSTATIC POLYMER USEFUL FOR RAPID BLOOD COAGULATION AND HEMOSTASIS**

RECEIVED  
OCT 01 2001  
TECH CENTER 1600/2900

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith is:

- (a) Return Receipt Postcard; (b) the Present Transmittal Letter (2x); (c) Amendment Transmittal Letter (2x);  
(d) Request for Interference Pursuant to 37 C.F.R. Section 1.607 and (e) Amendment Adding New Claims 59-63.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **501-561**  
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$85.00**
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

Dated: September 24, 2001

Eugene C. Rzucidlo  
Attorney Registration No. 31,900  
Greenberg Traurig, LLP  
Twenty-Second Floor  
885 Third Avenue  
New York, New York 10022  
Telephone: 212.848.1000  
Fax: 212.688.2449

I certify that this document and fee is being deposited  
on 09/24/01 with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner of Patents and Trademarks, Washington,  
D.C. 20231.



Signature of Person Mailing Correspondence

A. Scheffer

Typed or Printed Name of Person Mailing Correspondence

CC:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Cochrun et al.

Docket No.

44041.010400

Serial No.

09/438,872

Filing Date

November 12, 1999

Examiner

Sandra Saucier

Group Art Unit

1651

Invention:

HEMOSTATIC POLYMER USEFUL FOR RAPID BLOOD COAGULATION AND HEMOSTASIS

TECH CENTER 1600/2900

OCT 01 2001

RECEIVED

I hereby certify that the following correspondence:

1. Return Receipt Postcard;
2. Certificate of Mailing by Express Mail;
3. Transmittal Letter (2x);
4. Amendment Transmittal Letter (2x);
5. Request for Interference et al.,;
6. Amendment Adding New Claims 59-63

(Identify type of correspondence)


is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

September 24, 2001

(Date)

A. Scheffer

(Typed or Printed Name of Person Mailing Correspondence)

  
(Signature of Person Mailing Correspondence)0301 0120 0006 9535 9925

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.



ATTORNEY DOCKET NUMBER 4404010400

RECEIVED  
OCT 01 2001  
TECH CENTER 1600/2900

APPLICANTS: Cochrum et al.

SERIAL NO.: 09/438,872

FILED: 11/12/99

TITLE: Hemostatic Polymer Useful for Rapid Blood  
Coagulation and Hemostasis

EXAMINER: Sandra Saucier

GROUP ART UNIT:1651

New York, New York  
September 24, 2001

Sir:

REQUEST FOR INTERFERENCE PURSUANT TO 37 C.F.R. § 1.607

Pursuant to the provisions of 35 C.F.R. § 1.607, Applicants request the declaration of an Interference between the above-identified Application and United States Patent No. 6,060,461, issued May 9, 2001 to John Franklin Drake. A copy of United States Patent No. 6,060,461 is attached hereto as Exhibit A.

In connection with this Request, Applicants respectfully direct the Examiner's attention to the Amendment filed concurrently herewith adding new claims 59-63, directed to the same or substantially the same invention as claims 1, 10, 13, 14 and 15 of United States Patent No. 6,060,461. New claims 59-63 have been effectively present in the instant Application as of its November 11, 1999 filing date, hence, the presentation thereof now is in accordance with the requirements of 35 U.S.C. §135(b).

1. Proposal of Counts Under 37 C.F.R. §1.607

The following count is proposed:

Count 1: A method of enhancing the formation of clots on a wound of an animal where blood is present comprising the steps of applying porous particles having dimensions of from about 0.5 to 1000 micrometers to at least a portion of said wound where blood is present in said wound allowing said porous particles to remain in contact with said blood in said wound while clotting initiates in said wound.

or

A method of enhancing the formation of clots on a wound of an animal where blood is present comprising the steps of applying porous particles having dimensions of from about 40 to 150 microns to at least a portion of said wound where blood is present in said wound allowing said porous particles to remain in contact with said blood in said wound while clotting initiates in said wound.

2. Subject Matter of the Proposed Counts

Proposed Count 1 is directed to a method of enhancing the formation of clots on a wound of an animal where blood is present. Proposed Count 1 is identical to claim 1 of United States Patent No. 6,060,461 and claim 59 of the present Application.

Applicants maintain that proposed Count 1 is an appropriate count for the purposes of an Interference between the subject Application and United States Patent No. 6,060,461.

3. Identification of Claims Corresponding to Proposed Counts

A) **Claims of Applicants**

The subject Application has been amended so that the claims now pending are claims 1-63. Claims 1-63 correspond to proposed Count I.

B) **Claims of Patentee**

As stated above, proposed Count I is identical to claim 1 of United States Patent No. 6,060,461.

4. Application of the Terms of New Claims to the Disclosure Under 37 C.F.R. §1.607(a)(5)

As pointed out above, proposed count I corresponds to new claim 59.

Claims 59-63 are fully supported by the Application as filed. Specifically, the terms of claims 59-63 of the Application are disclosed as follows:

TERMS IN CLAIM SET 59	SUPPORTING LANGUAGE IN SPECIFICATION
A method of enhancing the formation of clots on a wound where blood is present comprising the steps of	Page 11, lines 27-30
applying porous particles having dimensions of from about 40 to 150 microns	Page 12, lines 3-6
to at least a portion of said wound where blood is present in said wound	Page 34, lines 2-4
allowing said porous particles to remain in contact in said wound	Page 12, lines 3-6

while clotting initiates in  
said wound

Pages 16, lines 8-13

**TERMS IN CLAIM SET 60**

**SUPPORTING LANGUAGE IN  
SPECIFICATION**

wherein said animal is a  
human

Page 6, lines 18-21

**TERMS IN CLAIM SET 61**

**SUPPORTING LANGUAGE IN  
SPECIFICATION**

wherein said particles  
comprise a polysaccharide

Page 21, line 4

**TERMS IN CLAIM SET 62**

**SUPPORTING LANGUAGE IN  
SPECIFICATION**

wherein said polysaccharide  
comprises dextran

Page 19, last 5 lines  
Page 40, lines 1-3

**TERMS IN CLAIM SET 63**

**SUPPORTING LANGUAGE IN  
SPECIFICATION**

where said dextran is  
crosslinked

Page 40, lines 1 - 3

No fee is deemed necessary in connection with the filing of this Request. However, if any fee is required, authorization is hereby given to charge of amount of such fee to Greenberg Traurig, LLP Deposit Account No. 501-561.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Eugene Rzucidlo". The signature is fluid and cursive, with the first name "Eugene" and last name "Rzucidlo" clearly distinguishable.

Eugene C. Rzucidlo

Attorney Registration No. 31,900

Greenberg Traurig, LLP

Twenty-Second Floor

885 Third Avenue

New York, New York 10022

Telephone: 212.848.1000

Fax: 212.688.2449